



DEPARTMENT OF THE NAVY

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20350-1000

SECNAVINST 5100.13B
Pers-60
11 February 1998

SECNAV INSTRUCTION 5100.13B

From: Secretary of the Navy
To: All Ships and Stations

Subj: NAVY AND MARINE CORPS TOBACCO POLICY

- Ref:
- (a) DoD Directive 1010.15 of 7 Mar 94, Smoke-Free Workplace (NOTAL)
 - (b) DoD Directive 1010.10 of 11 Mar 86, Health Promotion (NOTAL)
 - (c) National Institute for Occupational Safety and Health (NIOSH) Current Intelligence Bulletin (CIB) 54 of June 1991, Environmental Smoke in the Workplace (NOTAL)
 - (d) Environmental Protection Agency (EPA) Report, "Respiratory Health Effects of Passive Smoking: Lung Cancer and Other Disorders," December 1992 (NOTAL)
 - (e) NAVSEA S9510-AB-ATM-010/(U) (NOTAL)
 - (f) OPNAVINST 6100.2 of 25 Feb 92 (NOTAL)
 - (g) Public Law 104-52 of 19 Nov 95

1. Purpose. To provide revised policy and program guidance per references (a) through (g) for the control and reduction of tobacco use within the Department of the Navy (DON). This instruction is a major revision and should be reviewed in its entirety.

2. Cancellation. SECNAVINST 5100.13A.

3. Definitions

a. Common Space. Any space, indoors or outdoors, which is commonly used by occupants and visitors such as corridors, piers, hangars, parking lots, warehouses, signal bridges and bridge wings, elevators, lobbies, lounges, stairways, restrooms, cafeterias, snack bars, barber shops, laundry rooms, vestibules, entrances, egresses, patios, etc.

b. DON Controlled Space. Any Navy or Marine Corps owned/controlled/leased/rented space, building, facility, floating unit, aircraft, or vehicle.

c. Environmental Tobacco Smoke (ETS). ETS is the combination of exhaled smoke and the smoke emitted from burning tobacco products. ETS is a major source of harmful indoor air pollution containing formaldehyde, cyanide, and other toxins, and is a known cause of lung cancer, respiratory illness, and

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heart disease in both smokers and nonsmokers, per references (c) and (d).

d. Tobacco Use. Includes the use of smoking and smokeless tobacco (e.g., spit, plug, leaf, snuff, dip, chew).

e. Minor. Anyone under 18 years of age.

4. Applicability

a. Applies to all DON military and civilian personnel, including appropriated and non-appropriated fund employees, and all DON family members, visitors, volunteers, contractors, and personnel of other agencies and businesses that operate within or visit DON-controlled spaces. Does not cancel or supersede other instructions where smoking is controlled because of fire, explosive, or other safety considerations.

b. Prior to implementation of this policy, activities must, where applicable, discharge their labor relations obligations. Where civilian employees are in bargaining units, it is necessary to discuss tobacco proposals with the exclusive representative before implementation. This policy potentially impacts on conditions of employment concerning where and when smoking will be permitted. Commanding officers are to ensure that tobacco use policies are addressed in bargaining sessions, and that the negotiated measures provide for the earliest implementation of the measures set forth in this instruction. Assistance and guidance may be obtained from regional offices of the Human Resources Operations (HRO) Center. Marine Corps guidance may be obtained from the Commandant of the Marine Corps (MPO-37).

5. Background

a. The health consequences of tobacco use in all its forms and exposure to ETS by nonsmokers have been clearly documented. Tobacco use is considered the chief preventable cause of premature death and disease in the United States, killing more than 400,000 (19 percent of total deaths) annually. Tobacco use in any form is addictive. Involuntary exposure to tobacco smoke has been shown to cause cancer, lung, and heart disease in healthy nonsmokers. Because of these findings, the Environmental Protection Agency (EPA) has classified ETS as a known human lung carcinogen or "Group A" carcinogen under U.S. EPA's carcinogen classification system. Mere separation of

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smokers and nonsmokers within the same airspace may somewhat reduce, but does not eliminate ETS exposure. In DON, it is not feasible to engineer out or provide personal protective equipment sufficient to control exposure to ETS. The health of all personnel must be protected by providing a safe, healthy, and non-polluted workplace.

b. Tobacco use and ETS exposure have an adverse impact upon the health and readiness of our force. Tobacco use adversely affects night vision, respiratory capacity, and wound healing rates, and contributes to risk of cold injuries, including frostbite. Statistically, smokers have higher accident rates than do nonsmokers.

6. Tobacco Use Policy. DON policy is to reduce tobacco use and protect personnel from involuntary exposure to ETS to the greatest extent possible. Where conflicts arise between the rights of nonsmokers and the rights of smokers, the rights of nonsmokers to a smoke-free airspace shall prevail. DON policy is to provide tobacco users with encouragement and professional assistance to stop. The objective is to establish appropriate environmental protective measures to ensure a safe, healthy, and unpolluted working and living environment. The DON approach is designed to improve our overall state of health and our ability to maintain a high state of military readiness. Tobacco use harms readiness by impairing physical fitness and by increasing illness, absenteeism, premature death, and health care costs. Specifically, smoking of tobacco products is prohibited in all DON-controlled spaces except as noted below:

a. Individual Living Quarters Ashore. Smoking is permitted in individually assigned family and bachelor living quarters (BQ) and in Navy Lodge and USMC Hostess House rooms designated for smoking, except when these individual housing units are served by a common heating ventilation air conditioning (HVAC) system. In these instances, commanding officers must designate sufficient nonsmoking quarters for nonsmoking members to prevent involuntary exposure to ETS. Smoking is not permitted in common spaces of individual living quarters.

b. Multiple Housing Units. Designated smoking areas are authorized in multiple housing units (e.g., family housing apartment complexes, bachelor quarters, Navy Lodges, USMC Hostess Houses, etc.) as long as the smoking areas are separately ventilated and ventilation exhausts directly outdoors. This determination shall be made by the installation

commander with assistance from the responsible environmental engineer. Installation commanders will make every effort to honor smoking preferences in a shared room configuration. A Certificate of Nonavailability (CNA) should be issued rather than requiring a member to share a room with another of a different smoking preference. Smoking is prohibited in common spaces of multiple housing units.

c. Morale, Welfare and Recreation (MWR) Facilities

(1) Where MWR activities/facilities share the same HVAC systems with housing/BQ units, smoking is prohibited. Where HVAC is separate, smoking is prohibited unless specifically authorized by the commanding officer. The commanding officer should take into consideration the recommendations of the base environmental engineer, whose evaluation should include an examination of the ventilation system plans and a site visit. Designated smoking area selection will not be based upon the convenience of smokers, but upon those factors which prevent involuntary exposure to ETS and the pollution of surrounding areas.

(2) Smoking in stand-alone MWR facilities is likewise prohibited unless specifically authorized by the commanding officer, considering the recommendations of the environmental engineer's following a review of the ventilation system plans and a site visit. Smoking area selection will not be based upon the convenience of smokers, but upon factors which prevent involuntary exposure to ETS and the pollution of surrounding areas.

d. On Surface Ships. As safety and operational requirements permit, commanding officers will designate one or more weather deck spaces of surface ships as smoking areas. If weather deck spaces are not available due to ship configuration or operational considerations, the commanding officer may designate one or more normally unmanned spaces within the skin of the ship as smoking areas, provided that the spaces so designated are designed to vent directly to the outside atmosphere. The appropriate environmental engineer will assist the commanding officer in determining the spaces aboard ship that do not recirculate tobacco smoke. Designated smoking areas are not to encourage smoking, but rather to provide a safe location for smokers. Even though they may meet ventilation requirements, the following spaces will not be used as smoking areas: work spaces, watch stations, berthing areas, lounges,

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messing areas, libraries, ready rooms, exercise areas, medical areas, spaces in which computing and electronics gear is present, and spaces in which smoking is prohibited for other safety considerations.

e. On Submarines. Smoking spaces shall be designated aboard submarines following the guidance of reference (e). These spaces must be well-ventilated, not in the vicinity of stationary watch stations. Berthing spaces, messes, lounges, and exercise areas shall not be designated as smoking areas. The number of smokers authorized to use a smoking area at one time shall be limited by the clearance capacity of the ventilation system.

f. Outdoor Areas. Outdoor areas designated for smoking will not be located in areas commonly used by nonsmokers, and will not be in the immediate vicinity of supply air intakes or building entry ways/egresses. The distance from building entry ways/egresses which smokers must maintain is to be determined by the commanding officer. When possible, outdoor smoking areas should be designated which are reasonably accessible and which provide a measure of protection from the elements such as existing awnings and covered areas, overhangs of buildings, etc. This policy does not require that funds be used to provide sheltered, outdoor smoking areas.

7. Promotional programs. Navy components shall not participate with manufacturers or distributors of tobacco products in promotional programs, activities, or contests aimed primarily at Navy personnel, except as noted in reference (f).

8. Cigarette sales to minors and sampling of tobacco products. Per reference (g), in DON controlled spaces the sale of tobacco products in vending machines is prohibited, tobacco products shall not be sold to minors, and distribution of free samples of tobacco products is prohibited.

9. Smokeless Tobacco Policy. Smokeless tobacco is not a safe alternative to smoking. Smokeless tobacco causes oral cancer and is highly addictive. It also damages gums, teeth, and oral soft tissue. Additionally, spitting into open containers, waste baskets, or on the ground presents a potential health risk to others as saliva is a culture medium for infectious organisms.

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a. The use of smokeless tobacco is prohibited during briefings, meetings, classes, formations, inspections, while on watch, and in all other situations not listed above where proper decorum is required.

b. Where smokeless tobacco use is permitted, tobacco spit shall be held in containers with sealing lids to prevent odor and accidental spills. Tobacco spit and residue shall be disposed of in a sanitary manner which prevents public exposure.

c. Commanding officers will control the use of smokeless tobacco, taking into consideration personal hygiene, sanitation, public safety, health, military appearance and professionalism.

d. Commands shall ensure their tobacco cessation programs address the use of smokeless tobacco, and ensure that restrictions on smoking do not promote increased use of smokeless tobacco or the fundamentally unhealthy practice of swallowing its residue.

10. Professional Assistance. Medical treatment facilities and Family Service Centers shall provide current tobacco use information, cessation encouragement, and professional assistance to those wishing to stop using tobacco. Where professional assistance is not immediately available, or when such assistance is beyond the capability of the facility, referral assistance shall be provided. Care must be taken to encourage tobacco cessation without coercion or pressure on personnel to enter these programs.

11. Action. Chief of Naval Operations and Commandant of the Marine Corps are responsible for implementing the policy and program guidance in this instruction as follows:

a. Commanders, Commanding Officers, and Officers in Charge shall:

(1) Create by personal example and by command climate an effective program that supports abstinence and discourages use of tobacco products.

(2) Encourage tobacco users to stop and others to refrain from starting by incorporating health consequences of tobacco use into the command training schedule.

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(3) Include the following topics at all command indoctrinations and orientations and during general military training for all military personnel:

(a) Nicotine addiction and its negative impact on readiness.

(b) Health risks of tobacco use.

(c) Availability of assistance to quit tobacco use.

(4) Ensure that health care providers at all medical and dental facilities shall:

(a) Inquire about the patient's tobacco use, including smokeless tobacco products, during the routine physical and dental examination, and advise tobacco users of the risks associated with tobacco use, the health benefits of stopping, and where to obtain assistance in quitting.

(b) Advise all pregnant tobacco users of the health risks to the fetus and where to obtain assistance to stop using tobacco.

(c) Refrain from the use of tobacco products while in uniform or in any capacity in which the member represents the Bureau of Medicine and Surgery.

(5) Ensure that staff members at initial entry and training programs do not use tobacco when in the presence of students, recruits, officer candidates, and midshipmen.

b. Chief, Bureau of Medicine and Surgery shall:

(1) Make recommendations to DON regarding health information and training regarding tobacco use and its adverse effects.


(2) Monitor tobacco related medical research, tobacco industry claims and marketing trends, and determine patterns of use in military and civilian populations.

(3) Provide tobacco cessation programs at all medical treatment facilities.

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(4) Ensure that the provisions of paragraph 11a(4) are accomplished.


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Secretary of the Navy

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